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FROM: Robert Faber 24322OFGS FILE NO.: 1/22-123 RETURN TO: RCB

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MESSAGE:

*Timely Response and  
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*Robert Faber  
24322*

10/7/16, 948

Serial No. 107116848 Filing Date 4/19/03 OPGS File No. PT127-123  
Title Semiconductor device with an anti-reflective  
First Inventor Yen Date 7/16/03  
The PTO has received 1 application. Last Due Date: 10/16/03

TM PEO has received: \_\_\_\_\_ Last Doc Date: \_\_\_\_\_

Figure 1. Configuration of the FOF Box.

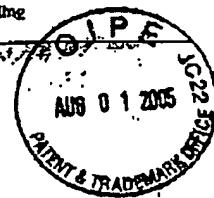
Figure 1.2. *Electron Gun Test Results*

Patent Application of \_\_\_\_\_  TM Application  ITC Basis

Pages (including claims & abstract)  Statement of Use

<input type="checkbox"/> Present Application of _____	<input type="checkbox"/> TM Application	<input type="checkbox"/> ITU Basis
Pages (including claims & abstract)		
<input type="checkbox"/> Declaration or <input type="checkbox"/> Designation Sheet	<input type="checkbox"/> Statement of Use	
<input type="checkbox"/> Drawings _____ Sheet(s)/Fig(s) _____ to _____	<input type="checkbox"/> Extension of Time	
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<input type="checkbox"/> Small Entity Declaration	<input type="checkbox"/> Brief	
<input type="checkbox"/> Assignment & Conveyance Cover Sheet	<input type="checkbox"/> Petition	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Status Request	
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NEW YORK, N.Y. 10036-8403

15005

And shall we then be like unto them?...  
And shall we then be like unto them?...

P/727-123

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Yu-Nung Shen

Serial No.: 10/716,848

10/716,948

Date: July 28, 2005

Filed: November 19, 2003

Group Art Unit: 2814

Examiner: Ginette Peralta

For: SEMICONDUCTOR DEVICE WITH A MULTI-LEVEL INTERCONNECT  
STRUCTURE AND METHOD FOR MAKING THE SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE

Sir:

Responsive to the Restriction Requirement mailed June 28, 2005, Applicant elects Group I, claims 1-8 drawn to the semiconductor device.

The Restriction Requirement is respectfully traversed. It is stated that the processes claimed can be used to make other product or that the product can be made by another process. However, comparison of the elected product claims and the at this point non-elected method claims shows that the method steps in the method claims largely involve forming the elements that are recited in the product claim, whereby effectively, the elements of the product and the method claims generally if not completely overlap. The rejection suggests a hypothetical use of the process to produce a different product. But, in fact, the overlap between the elements in the product and the method of forming the product cause them to be so similar that to suggest that the inventions are separate and distinct is to ignore the actual claim elements of both groups of claims.

A prior art search as to one group of claims necessarily would overlap a search as to the other in this case.

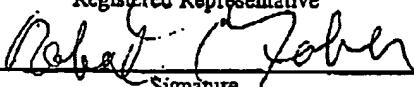
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Reconsideration of the Restriction Requirement and examination of the two groups of claims together is requested, therefore.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 28, 2005:

Robert C. Faber

Name of applicant, assignee or  
Registered Representative

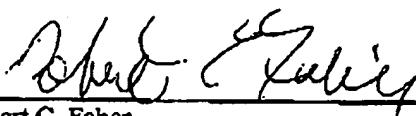


Signature

July 28, 2005

Date of Signature

Respectfully submitted,



Robert C. Faber

Registration No.: 24,322

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